

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Judge Thomas W. Thrash, Jr.

**CONSUMER PLAINTIFFS' RESPONSE IN OPPOSITION TO  
OBJECTORS FRANK AND WATKINS' MOTION TO RETURN PORTION  
OF APPEAL BOND [DOC. 1209], OBJECTOR SHIYUNG HUANG'S  
NOTICE OF JOINDER TO MOTION TO RETURN PORTION OF APPEAL  
BOND [DOC. 1210], AND MOTION OF OBJECTOR GEORGE W.  
COCHRAN TO RETURN PORTION OF APPEAL BOND [DOC. 1211]**

Objectors Frank and Watkins are seeking an order for return of a portion of the appeal bond previously ordered by the Court. *See* Doc. 1209 (motion); Doc. 1094 (order directing posting of appeal bond). Objector Shiyung Huang has filed a joinder to Frank and Watkins's Motion. Doc. 1210. Objector George Cochran also moves for a return of the portion of the appeal bond. Doc. 1211. The Court should deny Objectors' request because the motions individually seek return of the security for all but one-sixth of the costs ordered on appeal. Objectors claim that they need to pay only one-sixth of the ordered costs per appeal filed because there were six appeals. However, as Objectors admit, multiple objector-appellants posted no bond

at all. Objectors thus improperly seek a refund of their posted security that would deny Plaintiffs' a portion of the costs the appeal bonds were intended to secure. *See* Doc. 1094, Order at 10 (ordering "each Objector to post a bond of \$2,000 or deposit \$2,000 in cash in the registry of the Court *for the costs of appeal*") (emphasis added); *cf. In re Polyurethane Foam Antitrust Litig.*, 178 F. Supp. 3d 635, 638 (N.D. Ohio 2016) (discussing use of joint and several objector appeal bonds).

The Court should deny the motions because they are inconsistent with the Court's order. Alternatively, the Court should hold the motions under advisement pending resolution of any petitions for a writ of certiorari filed in the United States Supreme Court, and complete satisfaction of the costs on appeal.

Dated: September 22, 2021

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that this reply memorandum has been prepared in compliance with Local Rules 5.1 and 7.1.

/s/ Roy E. Barnes

**CERTIFICATE OF SERVICE**

I hereby certify that on September 22, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. Those counsel for parties who are registered ECF users will be served by the ECF system.

I also certify that copies of the foregoing were served upon the following Objector-Appellants via U.S. Mail and electronic mail on September 22, 2021:

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I also certify that copies of the foregoing were served upon the following *pro se* Objector-Appellants by depositing those copies into a U.S. mailbox on September 22, 2021:

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